

Update: Juvenile Traffic Benchbook

CHAPTER 5

Dispositional Hearings

5.5 Dispositional Options

K. State Minimum Costs

Insert the following language to the October 2003 update to page 5-6:

Effective May 13, 2004, 2004 PA 102 amended MCL 712A.18m(1) to condition the court's order of state minimum costs on whether the juvenile "is ordered to pay any combination of fines, costs, restitution, assessments, or payments arising out of the same juvenile proceeding." As amended, MCL 712A.18m(1) requires the court to order a juvenile to pay state minimum costs only if the court orders that other payments be made based on the court's disposition of the matter.

Also effective May 13, 2004, 2004 PA 102 added a provision to MCL 712A.18 allowing a juvenile to petition the court for remission or modification of the court's order to pay state minimum costs. As amended, MCL 712A.18 provides:

"(19) A juvenile who has been ordered to pay the minimum state cost as provided in section 18m of this chapter as a condition of probation or supervision and who is not in willful default of the payment of the minimum state cost may petition the court at any time for a remission of the payment of any unpaid portion of the minimum state cost. If the court determines that payment of the amount due will impose a manifest hardship on the juvenile or his or her immediate family, the court may remit all or part of the amount of the minimum state cost due or modify the method of payment."